

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION DIVISION**

IN RE:  
PRUIETT, BRUCE E.

Debtor(s)

CHAPTER 7 CASE

CASE NO. 06-06448 BB

JUDGE BRUCE W. BLACK

**TRUSTEE'S FINAL REPORT**

To: THE HONORABLE BRUCE W. BLACK  
BANKRUPTCY JUDGE

NOW COMES BRADLEY J. WALLER, Trustee herein, and respectfully submits to the Court and to the United States Trustee his/her Final Report and Account in accordance with 11 U.S.C. §704(9).

1. BRADLEY J. WALLER was appointed as the Chapter 7 trustee ("Trustee"). The Petition commencing this case was filed on 06/05/06. The Trustee was appointed on 06/05/06. An order for relief under Chapter 7 was entered on 06/05/06. The Trustee's case bond is in the amount of \$100.00.

2. The Trustee certifies that he has concluded the administration of this estate and has performed the duties enumerated in Section 704 of the Bankruptcy Code. The nonexempt assets of the estate have either been converted to cash, disposed of under orders of this Court, or are sought to be abandoned by the Trustee; there is no other property belonging to the estate; there are no matters pending or undetermined; claims have been reviewed; and all claim objections have been resolved to the best of the Trustee's knowledge. The Trustee certifies that this estate is ready to be closed. The tasks performed by the Trustee are set forth on Exhibit A. The Trustee has not found it advisable to oppose the Debtor(s) discharge.

3. The disposition of estate property is set forth in Exhibit B. The property abandoned, or sought to be abandoned, along with the reasons for such abandonment, is described in Exhibit B.

4. A summary of the Trustee's Final Report as of is as follows:

a. RECEIPTS (See Exhibit C)	\$ <u>29,687.48</u>
b. DISBURSEMENTS (See Exhibit C)	\$ <u>15,000.00</u>
c. NET CASH available for distribution	\$ <u>14,687.48</u>
d. TRUSTEE/PROFESSIONAL COSTS	

1. Trustee compensation requested (See Exhibit E)	\$ <u>2,218.75</u>
2. Trustee Expenses (See Exhibit E)	\$ <u>291.78</u>
3. Compensation requested by attorney or other professionals for trustee (See Exhibit F)	\$ <u>0.00</u>
	\$ <u>                    </u>

5. The Bar Date for filing unsecured claims expired on 10/24/06.

6. All claims filed in this case with the Clerk of the Bankruptcy Court have been reviewed by the Trustee.

The actual dollar amount of claims allowed and/or requested for this estate is as follows:

a. Allowed unpaid secured claims	\$ <u>0.00</u>
b. Chapter 7 Administrative and 28 U.S.C. §1930 claims	\$ <u>2,510.53</u>
c. Allowed Chapter 11 Administrative Claims	\$ <u>0.00</u>
d. Allowed priority claims	\$ <u>0.00</u>
e. Allowed unsecured claims	\$ <u>68,124.91</u>

7. Trustee proposes that unsecured creditors receive a distribution of 17.87% of allowed claims.

8. Total compensation and expense previously awarded to Trustee's counsel, accountant or other professional was \$0.00. Professional's compensation and expense requested but not yet allowed is \$2,510.53.

. The total of Chapter 7 professional fees and expenses requested for final allowance is \$2,510.53. (A summary of the professional fees and expenses previously requested is attached hereto as Exhibit G.)

9. A fee of \$850.00 was paid to Debtor's counsel for services rendered in connection with this case, and no basis appears to request an examination of those fees pursuant to 11 U.S.C. §329.

**WHEREFORE**, the Trustee certifies under penalty of perjury that the above statements are true and correct and requests the Court to provide for notice and a hearing pursuant to 11 U.S.C. §§330(a), 502(b) and 503(b). The Trustee further requests that the Court award final compensation and reimbursement of expenses and make final allowances of the administrative claims and expenses stated in this Report and for such other relief as the Court shall deem proper.

Dated: February 20, 2009

RESPECTFULLY SUBMITTED,

By: \_\_\_\_\_  
BRADLEY J. WALLER, Trustee  
KLEIN, STODDARD, BUCK, WALLER & LEWIS  
2045 ABERDEEN COURT  
SYCAMORE, IL 60178  
Telephone # (815) 748-0380

Bruce E. Pruiett  
06-06448

### **TASKS PERFORMED BY TRUSTEE**

The Trustee reviewed the Debtor's Schedule of Assets and Liabilities and Statements of Financial Affairs.

The Trustee conducted an examination of the Debtor(s) at the Section 341 meeting of creditors. The Trustee determined that there was equity in debtor's personal residence. The Trustee obtained a court order to sell the residence.

The Trustee prepared semi-annual reports to the United States Trustee's Office.

The Trustee managed the estate's cash on hand. This included investing the estate's funds in interest bearing accounts and maintaining a report of cash receipts and disbursements.

The Trustee examined the Debtor(s) records in an effort to identify additional assets available to the estate for liquidation and to verify the disposition of assets.

The Trustee attended to tax issues concerning the estate.

The Trustee reviewed the claims filed in this case.

# Form 1

## Individual Estate Property Record and Report Asset Cases

Case Number: 06-06448 BB  
Case Name: PRUIETT, BRUCE E.

Trustee: (330500) BRADLEY J. WALLER  
Filed (f) or Converted (c): 06/05/06 (f)  
\$341(a) Meeting Date: 07/20/06  
Claims Bar Date: 10/24/06

Period Ending: 02/15/09

1 Ref. #	2 Asset Description (Scheduled And Unscheduled (u) Property)	3 Petition/ Unscheduled Values	4 Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	5 Property Abandoned OA=\$554(a) abandon. DA=\$554(c) abandon.	6 Sale/Funds Received by the Estate	7 Asset Fully Administered (FA) Gross Value of Remaining Assets
1	RESIDENCE	60,000.00	Unknown		83,937.00	
2	CASH ON HAND	50.00	0.00	DA	0.00	
3	HOUSEHOLD GOODS	500.00	0.00	DA	0.00	
4	WEARING APPAREL	400.00	0.00	DA	0.00	
5	2004 NISSAN QUEST	17,275.00	0.00	DA	0.00	
Int	INTEREST (u)	Unknown	N/A		92.25	Unknown
6	Assets	Totals (Excluding unknown values)	\$0.00		\$84,029.25	\$14

Major Activities Affecting Case Closing:

Initial Projected Date Of Final Report (TFR): December 31, 2007

Current Projected Date Of Final Report (TFR): June 1, 2009

# Form 2

## Cash Receipts And Disbursements Record

Page: 1

Case 06-06448

Case Number: 06-06448 BB  
Case Name: PRUIETT, BRUCE E.

Trustee: BRADLEY J. WALLER (330500)  
Bank Name: JPMORGAN CHASE BANK, N.A.  
Account: \*\*\*\_\*\*\*\*\*89-65 - Money Market Account  
Blanket Bond: \$5,000,000.00 (per case limit)  
Separate Bond: N/A

Taxpayer ID #: 13-7564940  
Period Ending: 02/15/09

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	T-Code	5 Receipts \$	6 Disbursements \$	7 Money Market Account Balance
04/28/07		Professional National Title Network, Inc	Sale of Principal Residence		29,558.23		29,558.23
	{1}						29,558.23
			Earnest money	1110-000			29,558.23
			-1,000.00	2500-000			29,558.23
			Chaparro, Lavazza, Kocelko	4110-000			29,558.23
							29,558.23
			Ct. Order 04/13/07 to Nonbk. sellers	4120-000			29,558.23
			County Taxes	2820-000			29,558.23
			Title Charges	2500-000			29,558.23
			Attorney Renzi Fee	3210-000			29,558.23
			Recording Fees	2500-000			29,558.23
			2004 Realstate Taxes	2820-000			29,558.23
			Realtor Commission	3510-000			29,558.23
05/03/07	1001	Bruce E. Pruiett	Payment for Homestead Exemption Voided on 05/03/07	8100-002		15,000.00	14,558.23
05/03/07	1001	Bruce E. Pruiett	Payment for Homestead Exemption Voided: check issued on 05/03/07	8100-002		-15,000.00	29,558.23
05/03/07	1002	Bruce E. Pruiett	Payment of Homestead Exemption Voided on 05/03/07	8100-002		15,000.00	14,558.23
05/03/07	1002	Bruce E. Pruiett	Payment of Homestead Exemption Voided: check issued on 05/03/07	8100-002		-15,000.00	29,558.23
05/03/07	1003	Bruce E. Pruiett	Payment of Homestead Exemption	8100-002			14,558.23
05/07/07	{1}	Professional National Title Network, Inc	Reimbursement for Clerk Fee paid with 2005 realstate Taxes	1110-000	37.00	15,000.00	14,595.23

Subtotals : \$29,595.23 \$15,000.00

{ Asset reference(s) }

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## Form 2

## Cash Receipts And Disbursements Record

Case Number: 06-06448 BB

Case Name: PRUIETT, BRUCE E.

Taxpayer ID #: 13-7564940

Period Ending: 02/15/09

Trustee: BRADLEY J. WALLER (330500)  
 Bank Name: JPMORGAN CHASE BANK, N.A.  
 Account: \*\*\*\_\*\*\*\*\*89-65 - Money Market Account  
 Blanket Bond: \$5,000,000.00 (per case limit)  
 Separate Bond: N/A

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	T-Code	5 Receipts \$	6 Disbursements \$	7 Money Market Account Balance
05/31/07	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.6500%	1270-000	9.34		14,604.57
06/29/07	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.6500%	1270-000	7.53		14,612.10
07/31/07	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.6500%	1270-000	8.32		14,620.42
08/31/07	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.6500%	1270-000	8.06		14,628.48
09/28/07	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.6500%	1270-000	7.29		14,635.77
10/31/07	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.6500%	1270-000	8.59		14,644.36
11/30/07	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.6000%	1270-000	7.61		14,651.97
12/31/07	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.6000%	1270-000	7.46		14,659.43
01/31/08	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.3000%	1270-000	6.70		14,666.13
02/29/08	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.2500%	1270-000	3.00		14,669.13
03/31/08	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.1700%	1270-000	2.72		14,671.85
04/30/08	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.1700%	1270-000	2.04		14,673.89
05/30/08	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.1500%	1270-000	1.83		14,675.92
06/30/08	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.1500%	1270-000	1.86		14,677.78
07/31/08	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.1500%	1270-000	1.86		14,679.64
08/29/08	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.1500%	1270-000	1.74		14,681.38
09/30/08	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.1500%	1270-000	1.92		14,683.30
10/31/08	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.1200%	1270-000	1.60		14,684.90
11/28/08	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.1000%	1270-000	1.15		14,686.05
12/31/08	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.0500%	1270-000	1.04		14,686.89
01/30/09	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.0500%	1270-000	0.59		14,687.48

{ Asset reference(s)

Subtotals :

\$92.25

\$0.00

# Form 2

## Cash Receipts And Disbursements Record

Case Number: 06-06448 BB  
Case Name: PRUIETT, BRUCE E.

Trustee: BRADLEY J. WALLER (330500)  
Bank Name: JPMORGAN CHASE BANK, N.A.  
Account: \*\*\*\_\*\*\*\*\*89-65 - Money Market Account  
Blanket Bond: \$5,000,000.00 (per case limit)  
Separate Bond: N/A

Taxpayer ID #: 13-7564940  
Period Ending: 02/15/09

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	5 Receipts \$	6 Disbursements \$	7 Money Market Account Balance
<b>ACCOUNT TOTALS</b>						
			Less: Bank Transfers	29,687.48	15,000.00	\$14,687.48
			Subtotal	29,687.48	15,000.00	
			Less: Payments to Debtors		15,000.00	
			<b>NET Receipts / Disbursements</b>	<b>\$29,687.48</b>	<b>\$0.00</b>	
<b>TOTAL - ALL ACCOUNTS</b>						
			MMA # ***_*****89-65	29,687.48	0.00	14,687.48
				<b>\$29,687.48</b>	<b>\$0.00</b>	<b>\$14,687.48</b>



**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION DIVISION**

IN RE:  
PRUIETT, BRUCE E.

CHAPTER 7 CASE

CASE NO. 06-06448 BB

JUDGE BRUCE W. BLACK

Debtor(s)

**DISTRIBUTION REPORT**

I, BRADLEY J. WALLER, Trustee herein, certify that I have reviewed all claims filed with the Clerk of the Bankruptcy Court and have examined all orders of Court, and state that based on my review I propose to make the following distribution:

**SUMMARY OF DISTRIBUTION:**

Secured Claims:	\$ <u>0.00</u>
Chapter 7 Administrative Expenses:	\$ <u>2,510.53</u>
Chapter 11 Administrative Expenses:	\$ <u>0.00</u>
Priority Claims (507(a)(2)-(a)(7)):	\$ <u>0.00</u>
Secured Tax Liens:	\$ <u>0.00</u>
Priority Tax Claims:	\$ <u>0.00</u>
Other Priority Claims (507(a)(9)):	\$ <u>0.00</u>
General Unsecured Claims:	\$ <u>12,176.95</u>

**TOTAL AMOUNT TO BE DISTRIBUTED:** \$ 14,687.48

**EXHIBIT D**

**DISTRIBUTION REPORT**

**PAGE 1**

<b>1. TYPE OF CLAIMS</b>		<b>TOTAL AMOUNT OF CLAIMS</b>	<b>FINAL DIVIDEND %</b>
Secured Claims		\$ 0.00	0.00%
<b>CLAIM NUMBER</b>	<b>CREDITOR</b>	<b>ALLOWED AMOUNT</b>	<b>DIVIDEND AMOUNT</b>
<b>2. TYPE OF CLAIMS</b>		<b>TOTAL AMOUNT OF CLAIMS</b>	<b>FINAL DIVIDEND %</b>
§726(a) & (b) and §507(a)(1) (Chapter 7 costs of administration including court costs and U.S. Trustee quarterly fees pursuant to 28 U.S.C. 1930(6))		\$ 2,510.53	100.00%
<b>CLAIM NUMBER</b>	<b>CREDITOR</b>	<b>ALLOWED AMOUNT</b>	<b>DIVIDEND AMOUNT</b>
	BRADLEY J. WALLER Trustee Compensation	2,218.75	2,218.75
	BRADLEY J. WALLER Trustee Expenses	291.78	291.78
<b>3. TYPE OF CLAIMS</b>		<b>TOTAL AMOUNT OF CLAIMS</b>	<b>FINAL DIVIDEND %</b>
§726(a) & (b) and §507(a)(1) (Debtor-in possession (DIP) administrative expenses)		\$ 0.00	0.00%
<b>CLAIM NUMBER</b>	<b>CREDITOR</b>	<b>ALLOWED AMOUNT</b>	<b>DIVIDEND AMOUNT</b>
<b>4. TYPE OF CLAIMS</b>		<b>TOTAL AMOUNT OF CLAIMS</b>	<b>FINAL DIVIDEND%</b>
§507(a)(2) - Gap claims arising in involuntary cases and allowed pursuant to §502(f)		\$ 0.00	0.00%
<b>CLAIM NUMBER</b>	<b>CREDITOR</b>	<b>ALLOWED REQUESTED</b>	<b>PROPOSED ALLOWANCE</b>
		<b>TOTAL</b>	<b>\$ 0.00</b>
<b>5. TYPE OF CLAIMS</b>		<b>TOTAL AMOUNT OF CLAIMS</b>	<b>FINAL DIVIDEND%</b>

**EXHIBIT D**

**DISTRIBUTION REPORT**

**PAGE 2**

§507(a)(3) - Wages, salaries or commissions limited to \$4,000.00

\$ 0.00 0.00%

**CLAIM  
NUMBER CREDITOR**

**ALLOWED  
REQUESTED** **PROPOSED  
ALLOWANCE**

**TOTAL** \$ 0.00

**6. TYPE OF CLAIMS**

**TOTAL  
AMOUNT  
OF CLAIMS** **FINAL  
DIVIDEND%**

§507(a)(4) - Contributions to Employee Benefit Funds

\$ 0.00 0.00%

**CLAIM  
NUMBER CREDITOR**

**ALLOWED  
REQUESTED** **PROPOSED  
ALLOWANCE**

**TOTAL** \$ 0.00

**7. TYPE OF CLAIMS**

**TOTAL  
AMOUNT  
OF CLAIMS** **FINAL  
DIVIDEND%**

§507(a)(5) - Farmers' and Fishermen's claims to the extent of \$4,000.00

\$ 0.00 0.00%

**CLAIM  
NUMBER CREDITOR**

**ALLOWED  
REQUESTED** **PROPOSED  
ALLOWANCE**

**TOTAL** \$ 0.00

**8. TYPE OF CLAIMS**

**TOTAL  
AMOUNT  
OF CLAIMS** **FINAL  
DIVIDEND%**

§507(a)(6) - Deposits by consumers to the extent of \$1,800.00

\$ 0.00 0.00%

**CLAIM  
NUMBER CREDITOR**

**ALLOWED  
REQUESTED** **PROPOSED  
ALLOWANCE**

**TOTAL** \$ 0.00

**9. TYPE OF CLAIMS**

**TOTAL  
AMOUNT  
OF CLAIMS** **FINAL  
DIVIDEND%**

§507(a)(7) - Alimony

\$ 0.00 0.00%

**CLAIM  
NUMBER CREDITOR**

**ALLOWED  
REQUESTED** **PROPOSED  
ALLOWANCE**

**TOTAL** \$ 0.00

**10. TYPE OF CLAIMS**

**TOTAL  
AMOUNT  
OF CLAIMS** **FINAL  
DIVIDEND%**

**DISTRIBUTION REPORT**

**PAGE 3**

§724(b)(6) - Tax Liens:	\$	0.00	0.00%
<b>CLAIM</b>	<b>ALLOWED</b>	<b>PROPOSED</b>	
<b>NUMBER CREDITOR</b>	<b>REQUESTED</b>	<b>ALLOWANCE</b>	
	<b>TOTAL</b>	\$	0.00

11.	TYPE OF CLAIMS	TOTAL AMOUNT OF CLAIMS	FINAL DIVIDEND%
	§507(a)(8) - Tax claims excluding fines and penalties	\$ 0.00	0.00%
<b>CLAIM</b>	<b>ALLOWED</b>	<b>PROPOSED</b>	
<b>NUMBER CREDITOR</b>	<b>REQUESTED</b>	<b>ALLOWANCE</b>	
	<b>TOTAL</b>	\$	0.00

12.	TYPE OF CLAIMS	TOTAL AMOUNT OF CLAIMS	FINAL DIVIDEND%
	§507(a)(9) - Capital Commitments to FDIC, et al.	\$ 0.00	0.00%
<b>CLAIM</b>	<b>ALLOWED</b>	<b>PROPOSED</b>	
<b>NUMBER CREDITOR</b>	<b>REQUESTED</b>	<b>ALLOWANCE</b>	
	<b>TOTAL</b>	\$	0.00

13.	TYPE OF CLAIMS	TOTAL AMOUNT OF CLAIMS	FINAL DIVIDEND%
	§726(a)(2) - General Claims (To be paid <u>pro-rata</u> after costs of administration and priority claims are paid in full)	\$ 68,124.91	17.87%
<b>CLAIM</b>	<b>ALLOWED</b>	<b>PROPOSED</b>	
<b>NUMBER CREDITOR</b>	<b>REQUESTED</b>	<b>ALLOWANCE</b>	
1	Chase Bank USA, N.A.	4,307.26	769.90
2	Chase Bank USA, N.A.	3,075.12	549.66
3	Chase Bank USA, N.A.	6,102.08	1,090.71
4	Chase Bank USA, N.A.	15,805.84	2,825.21
5	Citibank/ CHOICE	7,003.11	1,251.77
6	Citibank/ CHOICE	3,198.22	571.66
7	MBNA America BANK N.A.	28,633.28	5,118.04
	<b>TOTAL</b>	\$	12,176.95

14.	TYPE OF CLAIMS	TOTAL AMOUNT OF CLAIMS	FINAL DIVIDEND%
	General Unsecured Subordinated claims	\$ 0.00	0.00%

**EXHIBIT D**

**DISTRIBUTION REPORT**

**PAGE 4**

<b>CLAIM NUMBER CREDITOR</b>	<b>ALLOWED AMOUNT</b>	<b>DIVIDEND AMOUNT</b>
	<b>TOTAL</b>	<b>\$ 0.00</b>

<b>15. TYPE OF CLAIMS</b>	<b>TOTAL AMOUNT OF CLAIMS</b>	<b>FINAL DIVIDEND%</b>
§726(a)(3) - Late unsecured claims	<b>\$ 0.00</b>	<b>0.00%</b>
<b>CLAIM NUMBER CREDITOR</b>	<b>ALLOWED AMOUNT</b>	<b>DIVIDEND AMOUNT</b>
	<b>TOTAL</b>	<b>\$ 0.00</b>

<b>16. TYPE OF CLAIMS</b>	<b>TOTAL AMOUNT OF CLAIMS</b>	<b>FINAL DIVIDEND%</b>
§726(a)(4) - Fines/penalties	<b>\$ 0.00</b>	<b>0.00%</b>
<b>CLAIM NUMBER CREDITOR</b>	<b>ALLOWED AMOUNT</b>	<b>DIVIDEND AMOUNT</b>
	<b>TOTAL</b>	<b>\$ 0.00</b>

<b>17. TYPE OF CLAIMS</b>	<b>TOTAL AMOUNT OF CLAIMS</b>	<b>FINAL DIVIDEND%</b>
§726(a)(5) - Interest	<b>\$ 0.00</b>	<b>0.00%</b>
<b>CLAIM NUMBER CREDITOR</b>	<b>ALLOWED AMOUNT</b>	<b>DIVIDEND AMOUNT</b>
	<b>TOTAL</b>	<b>\$ 0.00</b>

<b>18. TYPE OF CLAIMS</b>	<b>TOTAL AMOUNT OF CLAIMS</b>	<b>FINAL DIVIDEND%</b>
§726(a)(6) - Surplus to Debtor	<b>\$ 0.00</b>	<b>0.00%</b>
<b>CLAIM NUMBER CREDITOR</b>	<b>ALLOWED AMOUNT</b>	<b>DIVIDEND AMOUNT</b>
	<b>TOTAL</b>	<b>\$ 0.00</b>

The following claims are not included in the distribution because they have been disallowed or barred by court order or have been withdrawn by the claimant:

**EXHIBIT D**

**DISTRIBUTION REPORT**

**PAGE 5**

<u>TYPE OF CLAIM</u>	<u>CLAIM NUMBER</u>	<u>CREDITOR AND ADDRESS</u>	<u>AMOUNT OF CLAIM</u>	<u>DISALLOWED /WITHDRAWN (DESIGNATE)</u>
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WHEREFORE, the Trustee certifies under penalty of perjury that the above statements are true and correct.

DATED: February 20, 2009

BRADLEY J. WALLER, Trustee

**EXHIBIT D**